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SUBJECT: President Tandja Names New Constitutional Court, Sets Date for Referendum; Election Commission Member Resigns

Ref: a) Niamey 00492, b) Niamey 00495

President Tandja Appoints Constitutional Court Members

1. On July 2, President Mamadou Tandja signed a decree appointing both the president and members of a reconstituted Constitutional Court. This falls subsequent to actions taken on June 29, when President Tandja issued a decree dissolving the Constitutional Court and suspending relevant constitutional provisions (ref A).

2. The following is a list of the new Constitutional Court members:

- Boubey Oumarou, President (a former Minister of Justice and a former President of the Supreme Court);
- Mrs. Moulaye Zainabou (a former minister);
- Lirwana Abdourahamane (lawyer, member of political party supporting the president);
- Sissoko Mory (judge);
- Ory Hama (judge);
- Ibrahim Boubacar Zakaria (judge and president's nephew); and
- Dr. Abdoukarim Dodo Boukary (law professor and Advisor to the President).

Opposition and Civil Society Organizations Respond

3. Opposition parties and civil society organizations denounced the president's latest action as yet another violation of the Constitution, and view the new court as a special jurisdiction outside the rule of law. They stated no intent to recognize the new court, and maintained that only the former court has legitimacy. Observers of the political scene criticized these appointments as no more than a move by the president to have the court at his service.

President Tandja Fixes Date for Referendum

4. On July 3, the Government of Niger announced on Tele-Sahel (the state television) that President Tandja has fixed August 4 as the date for a constitutional referendum. If passed, it would permit him to extend his time in office by three years and eliminate presidential term limits. According to the statement, the campaign for the referendum will begin on July 13 and close on August 2.

Election Commission Spokesman Resigns

¶5. On July 4, Marou Amadou, who had gained liberty from his June 29 detention (ref B) on July 2, announced his resignation as spokesman and member of the Independent National Electoral Commission (CENI). Marou, spokesman of the Front for the Defense of Democracy (FDD) and president of opposition group United Front for the Defense of Democracy (FUSAD) stated he resigned to remain faithful to the application of the constitution.

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